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Counsel for Defendant DIAZ CARRILLO  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-09-01076-PJH
	)	
12 Plaintiff,	)	STIPULATION TO CONTINUE; ORDER
	)	CONTINUING CASE AND EXCLUDING
13 vs.	)	TIME UNDER THE SPEEDY TRIAL ACT
	)	
14 ARTURO DIAZ CARRILLO,	)	
	)	
15 Defendant.	)	
_____	)	
16		

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the TRIAL  
18 OR MOTIONS SETTING OR DISPOSITION HEARING date of July 29, 2010 presently  
19 scheduled at 10:00 a.m., before the Hon. Donna M. Ryu, be vacated and re-set for August 25,  
20 2010 at 10:00 a.m., before the Oakland Duty Magistrate, for TRIAL OR MOTIONS SETTING  
21 OR DISPOSITION HEARING.

22 The reason for this request is that defense counsel is presently reviewing the provided  
23 discovery, and needs additional time to investigate and analyze it. Further, defense counsel was  
24 out on family-related leave from July 1 until July 19, 2010.

25 The parties agree and stipulate that the time until August 25, 2010 should be excluded,  
26 under 18 U.S.C. §3161(h)(7)(A) and (B)(4) because the ends of justice served by the granting of

1 the continuance outweigh the best interests of the public and the defendant in a speedy and  
2 public trial. The continuance is necessary to accommodate counsel's preparation efforts and  
3 continuity of counsel.

4  
5 Date 7/28/10 /s/  
6 John Paul Reichmuth  
7 Assistant Federal Public Defender  
8 Counsel for defendant DIAZ CARRILLO

9 Date 07/28/10 /s/  
10 Trevor L. Rusin  
11 Assistant United States Attorney

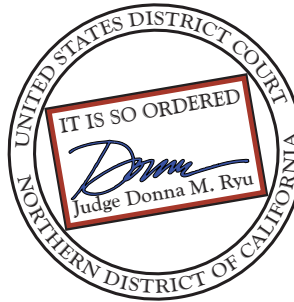
12 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

/S/ John Paul Reichmuth  
Counsel for Defendant Diaz-Carrillo

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to August 25, 2010 at 10:00 a.m., before the Oakland Duty Magistrate, and that time is excluded from July 29, 2010 until August 25, 2010 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.



7/28/2010  
Date

HON. DONNA M. RYU  
UNITED STATES MAGISTRATE JUDGE